

(27)

Entered -11-19-99 - sb  
CL 99L0787- DOBBS JORDAN  
00-*R*-0149

CLAIM OF: HARDEMAN ELECTRIC, INC.  
2122 Thaxton Place, S.E.  
Atlanta, Georgia 30315

For damages alleged to have been sustained as  
a result of a vehicular accident on August 23, 1999,  
at 84 Crumbley Street.

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of  
Atlanta that the action of the Department of  
Law be approved in authorizing payment to  
HARDEMAN ELECTRIC, INC. the sum of  
\$792.88 in full settlement and satisfaction of all  
claims, past, present and future, of every kind  
and character for damages alleged to have been  
sustained as a result of a vehicular accident on  
August 23, 1999 at 84 Crumbley Street as is more  
particularly set forth in the within claim; said  
sum taken from and charged to account  
1A01/529017/T31001, Settlement of Suits and  
Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind A. Rubens Newell*  
ROSALIND A. RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADOPTED BY

FEB 21 2000

COUNCIL

FAVORABLE REPORT  
COM: *Public Safety*

DATE: *2/15/2000*

*John M. Starns*  
*John M. Starns*  
*John M. Starns*

CERTIFIED  
FEB 21 2000  
*John M. Starns*  
COUNCIL PRESIDENT PROTEM

APPROVED

MAR - 1 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW

CERTIFIED  
FEB 21 2000

*Rosalind A. Rubens Newell*  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**00-R-0149**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Hardeman Electric, Inc.** the sum of **\$792.88** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on August 23, 1999, at 84 Crumbley Street** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

February 21, 2000

March 01, 2000

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0787

Date: January 5, 2000

Claimant /Victim HARDEMAN ELECTRIC, INC.

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 2122 Thaxton Place, S. E., Atlanta, Georgia 30315

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 792.88 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 11-5-99 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 8-23-99 Place: 84 Crumbley Street

Department Public Works Bureau: Waste Water Services Division \_\_\_\_\_

Employee involved Bennie Favors Dept. Action Oral Admonishment

NATURE OF CLAIM: Claimant sustained property damage in the above specified amount when a city employee, while maneuvering a back-hoe inadvertently struck claimant's parked vehicle.

### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written X Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

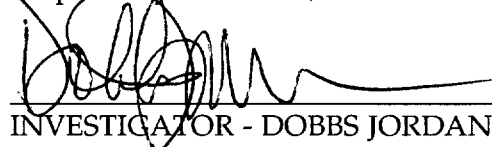
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DOBBS JORDAN

### RECOMMENDATION:

Pay \$ 792.88 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 01-12-00

Committee Action \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: Nov 1, 1999

NOV - 5 1999

Dear Municipal Clerk:

ENTERED - 11-19-99 - SB  
99L0787 - DOBBS JORDAN

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 792.88 property and/or  
\$        bodily injury for which I contend the City is liable.

1. Date of incident: 8/23/99 2. Time of Incident: 10:40 3. Police called: ☒ Yes ☐ No  
(month/day/year).

4. Location of incident (including street address): 84 Crumley St5. Name of your insurance company: Selective Insurance Policy No. S1436533

6. State what and how incident occurred: A city worker named Bennie Favor  
was maneuvering his back-hoe when he accidentally struck  
our vehicle (parked)

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL  
RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of  
repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Ford 94 38780 QF Gregory Foster  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Backhoe Bennie Favors street Highway Sewer  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness Gregory Foster 3308 Dayna Dr., College Park (7) 907-5873  
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by  
State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE  
INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Hardeman Electric, Inc  
(Print Claimant's Name)

2122 Thaxton Pl. S.E.  
(Address)

Atlanta, GA 30315  
(City, State and Zip Code)

(4) 627-8612  
(Work Number) (Home Number)

## GENERAL RELEASE AND INDEMNIFICATION

NO. 99L0787

\$ 792.88

IN CONSIDERATION of the sum of SEVEN HUNDRED NINETY-TWO DOLLARS AND .88/100  
           DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and  
forever discharge said City, its officers and employees, from any and all claims, demands, actions, causes  
of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything  
that has heretofore occurred, and particularly for or on account of \_\_\_\_\_

property damage

which occurred on or about the 23rd day of August, 1999,

at or near 84 Crumbley Street

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 12<sup>th</sup> day of January, 19 2000.

12th day of January, 19 2000  
 (Signature)  
 HARDEMAN ELECTRIC, INC. (LS)

The above release was read and explained to, and signed by the said \_\_\_\_\_

in our presence on the date above written.

Jonny L. F. Witness

00-*P*-0149

RCS# 1771  
2/21/00  
2:37 PM

Atlanta City Council

Regular Session

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CONSENT AGENDA PAGES (1 - 9)

ADOPT

YEAS:	15	SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA
NAYS:	0	
ABSTENTIONS:	0	
NOT VOTING:	1	
EXCUSED:	0	
ABSENT	0	

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEMS REMOVED FROM  
CONSENT AGENDA  
00-O-0122  
00-O-0123  
00-R-0202  
00-R-0020

00-O-0212 - Councilmember  
Boazman Abstained

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 99-O-2072
2. 99-O-2073
3. 00-O-0127
4. 00-O-0124
5. 00-O-0126
6. 00-O-0066
7. 00-O-0125
8. 00-O-0211
9. 00-O-0212 \*
10. 00-O-0213
11. 00-O-0207
12. 00-R-0220
13. 00-R-0196
14. 00-R-0209
15. 00-R-0180
16. 00-R-0176
17. 00-R-0174
18. 00-R-0145
19. 00-R-0146
20. 00-R-0147
21. 00-R-0148
22. 00-R-0149
23. 00-R-0150
24. 00-R-0151
25. 00-R-0152
26. 00-R-0153
27. 00-R-0154
28. 00-R-0155
29. 00-R-0156
30. 00-R-0157
31. 00-R-0158
32. 00-R-0159
33. 00-R-0160

**02/21/00 Council Meeting  
ITEMS ADVERSED ON  
CONSENT AGENDA**

34. 00-R-0161
35. 00-R-0162
36. 00-R-0163
37. 00-R-0164
38. 00-R-0165
39. 00-R-0166
40. 00-R-0167
41. 00-R-0168
42. 00-R-0169
43. 00-R-0170
44. 00-R-0171
45. 00-R-0172
46. 00-R-0173
47. 00-R-0175

\* Councilmember Boazman  
abstained from voting on item 00-  
O-0212.